

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ABDUR-RASHID MUHAMMAD,

Petitioner,

**8:23CV147**

vs.

ROB JEFFREYS, Director of Nebraska  
Department of Correctional Services;

Respondent.

**MEMORANDUM AND ORDER**

This matter is before the Court on a motion filed by Petitioner seeking a 120-day extension of the October 24, 2024, deadline to respond to Respondent's Motion for Summary Judgment (the "MSJ"). [Filing No. 28](#). As cause, Petitioner submits that he has been trying to retain counsel due to his incarceration, the complexity of his case, and his limited access to the law library, but that he has been unsuccessful so far, and requires additional time to do so. [Filing No. 28](#).

The Court is not inclined to grant Petitioner an additional 120-days to retain counsel, especially in light of the length of time the MSJ has been pending, see [Filing No. 9](#), and Petitioner's prior requests for additional time, see [Filing No. 24](#) and [Filing No. 26](#), all of which have been granted, see [Filing No. 25](#) and [Filing No. 27](#). However, to allow Petitioner time to retain counsel and/or to facilitate a response to the MSJ, the Court shall grant Petitioner an additional 30 days to file a response to the MSJ. Any additional

extensions to the response deadline shall be considered in accordance with this Memorandum and Order.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion, [Filing No. 28](#), is granted in part. Petitioner shall have until **November 12, 2024**, to file a response to Respondent's Motion for Summary Judgment. If Petitioner retains counsel prior to the November 12, 2024, deadline to file his response, his counsel may file a motion to further extend the response deadline prior to its expiration. If Petitioner proceeds without counsel, no further extensions shall be granted absent a showing of extraordinary circumstances.

2. The clerk's office is directed to set the following pro se case management deadline: **November 12, 2024**: check for Petitioner's brief in response to Respondent's Motion for Summary Judgment.

Dated this 11th day of October, 2024.

BY THE COURT:



Joseph F. Bataillon  
Senior United States District Judge